



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

MAR 5 2001

DOT-E 12039
(SECOND REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Sunoco, Inc.
Philadelphia, PA
Former Grantee: Sun Company, Inc.

(See Appendix A to this exemption for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of DOT 113C120W tank cars containing Ethylene, refrigerated liquid, at an internal pressure of 20 psig instead of the required 10 psig. This exemption provides no relief from any Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.319(d)(2) in that the maximum pressure when offered for transportation is 20 psig instead of 10 psig.
5. BASIS: This exemption is based on Sunoco, Inc.'s application dated January 4, 2000, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identifi- cation Number	Packing Group
Ethylene, refrigerated liquid (cryogenic liquid)	2.1	UN1038	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGINGS: Prescribed packagings are DOT Specification 113C120W tank cars.
- b. TESTING: If the average daily pressure rises during any shipment and exceeds 2.5 psig per day, the tank must be tested for thermal integrity as specified in § 173.319(e)(2) prior to any subsequent shipments.

8. SPECIAL PROVISIONS:

- a. Tank cars being reoffered containing only the residue of product may not be offered above 10 psig.
- b. MARKING: Each tank car must be marked "DOT-E 12039" in letters and numerals at least 4 inches high on a contrasting background above the DOT specification marks.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.10. MODAL REQUIREMENTS: None as a requirement of this exemption.11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

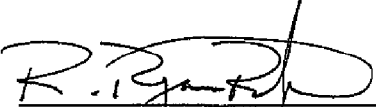
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and condition of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

MAR 5 2001

(DATE)

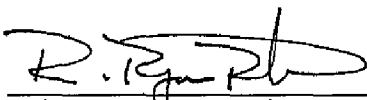
Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: Schnoonover/alb

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate.

Company Name City/State	Application Date	Issue Date	Expiration Date
Lyondell Chemical Company Houston, TX	Dec 22, 2000	MAR 5 2001	Jan 31, 2002
Equistar Chemicals, LP Houston, TX	Dec 22, 2000	MAR 5 2001	Jan 31, 2002


for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety